

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DEBRA SIMON,)
)
 Plaintiff,)
)
 vs.)
)
 MACY'S EAST, INC. and) Civil Action No. 05-CV10182-RWZ
 FEDERATED DEPARTMENT)
 STORES, INC. and MACY'S EAST,)
 INC. ENHANCED SEVERANCE)
 PLAN FOR TOP OF THE RANGE)
 HOURLY EMPLOYEES-GROUP 1,)
)
 Defendants.)
 _____)

**SECOND STIPULATION FOR ENLARGEMENT OF TIME
FOR DEFENDANTS TO FILE RESPONSIVE PLEADING**

Plaintiff, Debra Simon, and Defendants, Macy's East, Inc., Federated Department Stores, Inc., and Macy's East, Inc. Enhanced Severance Plan for Top of the Range Hourly Employees – Group 1, (collectively “parties”), hereby stipulate to enlarge the time for the Defendants to file their answer or responsive pleading pursuant to Federal Rule of Civil Procedure 12 from May 4, 2005 till May 27, 2005.

As grounds for this extension, the parties state that they are engaged in efforts to reach a settlement in this matter and the additional time will afford them the opportunity to conclude those discussions before proceeding with the litigation.

Respectfully submitted,

DEBRA SIMON,
By her attorney,

MACY'S EAST, INC., et al.,
By their attorneys,

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Dated: April 28, 2005